

**AMENDMENTS TO THE CLAIMS**

Claims 1 to 10 (canceled)

Claim 11 (currently amended): The fungi resistant asphalt according to claim 60  
~~40~~, wherein:

the fungi growth-inhibiting agent includes ~~2-(4-Thiazolyl) Benzimidazole and Zinc~~  
Pyrithione.

Claim 12 (currently amended): An asphalt containing sheet material, comprising:  
a fibrous base sheet having a first major surface and a second major surface; the  
fibrous base sheet containing a fungi resistant asphalt consisting of asphalt; a fungi  
growth-inhibiting agent comprising 2-(4-Thiazolyl) Benzimidazole with the 2-(4-Thiazolyl)  
Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein  
the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in  
the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing  
additive to 10,000 parts by weight asphalt comprising an asphalt having a fungi growth-  
inhibiting agent therein in amounts that result in the fungi-resistant asphalt having more  
fungi growth resistance than the asphalt without the fungi growth-inhibiting agent.

Claim 13 (currently amended): An asphalt containing sheet material, comprising:  
a fibrous base sheet having a first major surface and a second major surface;  
and

a fungi resistant asphalt layer on the first major surface of the fibrous base sheet  
that is partially absorbed into the fibrous base sheet; the fungi resistant asphalt layer  
consisting of asphalt; a fungi growth-inhibiting agent comprising 2-(4-Thiazolyl)

Benzimidazole with the 2-(4-Thiazolyl) Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing additive to 10,000 parts by weight asphalt comprising an asphalt having a fungi growth inhibiting agent therein in amounts that result in the fungi resistant asphalt having more fungi growth resistance than the asphalt without the fungi growth inhibiting agent.

Claim 14 (original): The asphalt containing sheet material according to claim 13, wherein:

the second major surface of the fibrous base sheet is essentially free of asphalt.

Claims 15 to 30 (canceled)

Claim 31 (currently amended): The asphalt containing sheet material according to claim 13, wherein:

the asphalt containing sheet material consists essentially of the fibrous base sheet and the fungi resistant asphalt layer that is substantially coextensive with the second first major surface of the fibrous base sheet.

Claims 32 and 33 (canceled)

Claim 34 (currently amended): The asphalt containing sheet material according to claim 13 33, wherein:

the fungi growth-inhibiting agent includes ~~2-(4-Thiazolyl) Benzimidazole and Zinc~~ Pyrithione.

Claim 35 (original): The asphalt containing sheet material according to claim 13, wherein:

the fibrous base sheet is a fiberboard.

Claim 36 (original): The asphalt containing sheet material according to claim 13, wherein:

the asphalt containing sheet material is a roofing material.

Claim 37 (currently amended): An asphalt containing sheet material, comprising:  
a fibrous base sheet having a first major surface and a second major surface;  
and

a fungi resistant asphalt layer on the first major surface of the fibrous base sheet and a fungi resistant asphalt layer on the second major surface of the fibrous base sheet that are partially absorbed into the fibrous base sheet; the fungi resistant asphalt layers each consisting of asphalt; a fungi growth-inhibiting agent comprising 2-(4-Thiazolyl) Benzimidazole with the 2-(4-Thiazolyl) Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing additive to 10,000 parts by weight asphalt comprising an asphalt having a fungi growth inhibiting agent therein in amounts that result in the fungi resistant asphalt having more fungi growth resistance than the asphalt without the fungi growth inhibiting agent.

Claims 38 to 49 (canceled)

Claim 50 (currently amended): The asphalt containing sheet material according to claim 37 32, wherein:

the asphalt containing sheet material consists essentially of the fibrous base sheet and the fungi resistant asphalt layers that are substantially coextensive with the first and second major surfaces of the fibrous base sheet.

Claims 51 and 52 (canceled)

Claim 53 (currently amended): The asphalt containing sheet material according to claim 37 52, wherein:

the fungi growth-inhibiting agent includes ~~2-(4-Thiazolyl) Benzimidazole and Zinc~~ Pyrithione.

Claim 54 (original): The asphalt containing sheet material according to claim 37, wherein:

the fibrous base sheet is a fiberboard

Claim 55 (original): The asphalt containing sheet material according to claim 37, wherein:

the asphalt sheet material is a roofing material.

Claim 56 (currently amended): A fungi resistant asphalt containing sheet material, comprising:

a nonfibrous polymeric film base sheet having a first major surface and a second major surface; the polymeric film base sheet being a polyester or a polycarbonate film;  
and

a fungi resistant asphalt layer on the first major surface of the polymeric film base sheet; the fungi resistant asphalt layer consisting of asphalt; a fungi growth-inhibiting agent comprising 2-(4-Thiazolyl) Benzimidazole with the 2-(4-Thiazolyl) Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing additive to 10,000 parts by weight asphalt comprising an asphalt having a fungi growth-inhibiting agent therein in amounts that result in the fungi-resistant asphalt having more fungi growth resistance than the asphalt without the fungi growth-inhibiting agent.

Claim 57 (original): The fungi resistant asphalt containing sheet material according to claim 56, wherein:

the fungi resistant asphalt layer is partially absorbed into the polymeric film base sheet.

Claim 58 (currently amended): The fungi resistant asphalt containing sheet material according to claim 56, including:

a fungi resistant asphalt layer on the second major surface of the polymeric film base sheet; the fungi resistant asphalt layer on the second major surface of the polymeric film base sheet consisting of asphalt; a fungi growth-inhibiting agent comprising 2-(4-Thiazolyl) Benzimidazole with the 2-(4-Thiazolyl) Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing additive to 10,000 parts by weight asphalt comprising an asphalt having a fungi growth-inhibiting

~~agent therein in amounts that result in the fungi resistant asphalt having more fungi growth resistance than the asphalt without the fungi growth inhibiting agent.~~

Claim 59 (original): The fungi resistant asphalt containing sheet material according to claim 58, wherein:

the fungi resistant asphalt layers are partially absorbed into the polymeric film base sheet.

Claim 60 (new): A fungi resistant asphalt, consisting of:

asphalt; a fungi growth-inhibiting agent comprising 2-(4-Thiazolyl) Benzimidazole with the 2-(4-Thiazolyl) Benzimidazole present in the asphalt in an amount between 200 and 2000 ppm wherein the asphalt is fungi growth resistant; and an essential plant oil odor-reducing additive in the asphalt an amount approximating 1 part by weight essential plant oil odor-reducing additive to 10,000 parts by weight asphalt.